

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
NO. 5:14-cv-136-GCM**

TOMMY R. COMBS,

Plaintiff,

v.

THE COUNTY OF ASHE, *et al.*,

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Default Judgment and to Move Case Back to Statesville Division (Doc. No. 119).

First, Plaintiff has moved the Court to find Defendants Mark Blevins and David Hoosier in default. However, both Defendants have filed *pro se* answers in this matter (Doc. Nos. 83 & 84). Thus, Defendants Blevins and Hoosier have not failed to "plead or otherwise defend," as is required for an entry of default and a finding of default judgment under Rule 55.

Second, the Court notes that this case is already within the Statesville Division of the Western District of North Carolina. Thus, Plaintiff's motion to move the case to the Statesville Division is moot.

Accordingly, Plaintiff's Motion is **DENIED**.

SO ORDERED.

Signed: August 7, 2018



Graham C. Mullen
United States District Judge

